

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA

v.

JOSEPH DILLARD and  
BRYAN CLAIBORNE

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No. 3:07-cr-67

**MEMORANDUM AND ORDER**

This criminal case is before the court on the motion of defendant Joseph Dillard for a continuance of the trial [doc. 32]. Counsel for the defendant says that additional time is necessary to investigate the case, interview witnesses, and obtain documents. The government has responded and has no objection to the defendant's motion [doc. 33]. Further, defendant Claiborne does not oppose the motion.

The court finds the defendant's motion well-taken, and it will be granted. The court finds that the ends of justice served by granting the motion outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A). The court finds that the failure to grant the defendant's motion would deny his counsel the time needed to complete his investigation of the case and prepare for trial. 18 U.S.C. § 3161(h)(8)(B)(iv). Therefore, all the time from the

defendant's motion for a continuance to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(8)(A).

It is hereby **ORDERED** that the parties' motion for a continuance is **GRANTED**, and this criminal case is **CONTINUED** to April 29, 2008, at 9:00 a.m.

ENTER:

s/ Leon Jordan  
United States District Judge